IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.291 OF 2005
IN
WRIT PETITION NO.2868 OF 1991

Ashwin Bhagwandas Choksey & Ors. .. Petitioners
V/s
Appropriate Authority and Ors. .. Respondents.

Mr.P.K.Shroff for the Petitioners.
Ms.Mamta Sadh, AGP for Respondent No.3 & 4.

CORAM: S.RADHAKRISHNAN &
A.S.AGUIAR, JJ.
DATE : 17.06.2005.

P.C.:

1. Heard the learned Counsel for the Petitioners and the learned Counsel for Respondent Nos.3 and 4. None appears for Respondent Nos.1 and 2 though served. By this Notice of Motion the Petitioners are seeking to recall the order dated 14th June, 2005 whereby the Petition was dismissed in default. Perused the affidavit in support of the Notice of Motion. For the reasons stated therein sufficient cause is made out for recalling the order of dismissal of the Writ Petition. There is no case of inaction, negligence or want of bonafide on the part of the Petitioners. Under these circumstances, Notice of Motion is made absolute in terms of prayer clause (a).

2. Place the Writ Petition No.2868 of 1991 on board for final hearing on 27th June, 2005.

(S.RADHAKRISHNAN J.)

(A.S.AGUIAR,J.)